

Application No.: 10/805,933

Docket No.: JCLA10375-D

REMARKS**Present Status of the Application**

The Office Action rejects Claims 5 and 8 under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (U.S. 6,674,159 B1), and rejects Claim 6 as being unpatentable over Peterson et al. (U.S. 6,674,159 B1) in view of Admitted Prior Art (hereinafter APA).

Upon entry of the amendments in this response, claim 5 is amended in grammar. Applicant believes that the foregoing amendments do not introduce new matter. Reconsideration of those claims is respectfully requested.

Response to Rejection under 35 U.S.C. 102(e)

The Office Action rejects Claims 5 and 8 under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (U.S. 6,674,159 B1). Applicant respectfully traverse the rejection as it applies to claims 5 and 8 for at least the reasons set forth below.

The Office Action, at pages 2-3, submits that Peterson et al. discloses a microelectronic device with the elements of claims 5 and 8 (see Fig. 10C and Fig. 10D), but does not indicate that which one of the elements shown in Fig. 10C and Fig. 10D are equal to which one of the elements defined in claims 5 and 8. Therefore, the Office Action fails to provide a sufficient and clear comparison between the elements shown in Fig. 10C and Fig. 10D and the elements defined in claims 5 and 8.

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Accordingly, Applicant submits that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

Response to Rejection under 35 U.S.C. 103(a)

The Office Action rejects Claim 6 as being unpatentable over Peterson et al. (U.S. 6,674,159 B1) in view of Admitted Prior Art (hereinafter APA). Applicant respectfully traverses the rejection as it applies to claim 6 for at least the reasons set forth below.

If the independent claim 5 is not rejected under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (U.S. 6,674,159 B1) and allowable, the dependent claim 6 dependent on claim 5 is allowable as a matter of law.

Accordingly, Applicant submits that the grounds of rejection have been addressed and the rejection has been overcome. Reconsideration and withdrawal of the rejection are respectfully requested.

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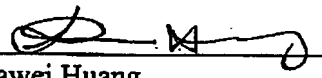
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 5-6 and 8 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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